

REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided. However, Applicants note that the Examiner has not acknowledged Applicants' Claim for Priority and receipt of the certified copy of the priority documents in this National Stage application from the International Bureau.

Thus, it is respectfully requested that the Examiner acknowledge the above-mentioned Claim for Priority in the next Official Action.

Applicants submit that the instant amendment is proper for entry after final rejection. Applicants submit that no question of new matter nor are any new issues raised in entering the instant amendment of the claims and that no new search is required.

Moreover, Applicants submit that the instant amendment places the application in condition for allowance, or at least in better form for appeal.

Accordingly, Applicants request that the Examiner enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims.

Upon entry of the above amendments, claims 1, 3-5, 8 and 31 will have been amended, claims 7, 9-13, 15-30 and 33 will have been canceled without prejudice or disclaimer to the subject matter contained therein, and claims 38-45 will have been added. Claims 1, 3-5, 7-13 and 17-45 are currently pending. Applicants respectfully request reconsideration of the outstanding objections and rejections, and allowance of all the claims pending in the present application.

Objections to the Drawings, Specification, and Claims

In the Official Action, the Examiner has objected to the Drawings for failing to show the instantaneous heating device comprising first and second heaters, as generally recited in claim 16.

Applicants respectfully traverse the above-mentioned objection to the Drawings. In this regard, Applicants submit that at least Figure 12 of the Drawings provides support for the aforementioned feature of claim 16.

In the Official Action, the Examiner objected to the Specification for failing to provide proper antecedent basis for the instantaneous heating device comprising first and second heaters, as generally recited in claim 16. Accordingly, Applicants submit that the Examiner's objection to the Drawings is improper and should be withdrawn.

Applicants respectfully traverse the above-mentioned objection to the Specification. In this regard, Applicants submit that at least Figure 12 of the Drawings and the paragraph beginning on page 26, lines 18 of the present Specification, provide support for the aforementioned feature of claim 16. Accordingly, Applicants submit that the Examiner's objection to the Specification is improper and should be withdrawn.

In the Official Action, the Examiner objected to claims 3 and 4 for containing informalities. In this regard, Applicants submit that claims 3 and 4 have been amended (where appropriate) in order to address the Examiner's concerns. Accordingly, Applicants submit that the objection to claims 3 and 4 is believed to be moot and should be withdrawn.

Rejections under 35 U.S.C. § 112

In the Official Action, the Examiner rejected claim 16 under 35 U.S.C. § 112, first and second paragraphs.

In setting forth the rejections, the Examiner asserts that the present Specification does not describe the instantaneous heating device comprising first and second heaters, as recited in claim 16. However, as discussed supra, Applicants submit that at least Figure 12 of the Drawings and the paragraph beginning on page 26, lines 18 of the present Specification, provide support for the aforementioned feature of claim 16

Nevertheless, without acquiescing to the propriety of the Examiner's rejections, Applicants have canceled dependent claim 16. Accordingly, Applicants submit that it is unnecessary to address the appropriateness of the above-mentioned rejections, and respectfully request withdrawal thereof.

Rejections under 35 U.S.C. § 103

In the Official Action, the Examiner rejected claims 1, 31, 32, 34 and 37 under 35 U.S.C. § 103(a) as being unpatentable over MARUYAMA et al. (2001-152517) in view of SHIGERU et al. (2000-213038);

the Examiner rejected claims 1, 3-5, 15-16 and 37 under 35 U.S.C. § 103(a) as being unpatentable over KOJI et al. (06-017471) in view of SHIGERU;

the Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over KOJI (in view of SHIGERU) and further in view of MATSUI et al (4,581,779); and

the Examiner rejected claims 35 and 36 under 35 U.S.C. § 103(a) as being unpatentable SHIGERU (as modified) and further in view of SATO et al. (U.S. Patent No. 2004-0019962).

Without acquiescing to the propriety of the Examiner's above-noted rejections, Applicants have amended independent claim 1 solely in order to more clearly recite the presently claimed invention and to expedite prosecution of the present application.

In this regard, Applicants submit that the applied prior art, alone or in any reasoned combinations, does not disclose at least the combination of elements as recited in independent claim 1.

In particular, claim 1 generally sets forth a sanitary washing apparatus including: a heating system configured to heat washing water; a human body washing nozzle having a discharge port that discharges washing water heated by the heating system so as to wash the human body; and a nozzle cleaner having a spray port and positioned externally of the human body washing nozzle, the heating system comprising a heat exchanger having a snaking internal flow path, and the nozzle cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor from the spray port onto at least an outer surface of the discharge port of the human body washing nozzle so as to sterilize at least an outer surface of the human body washing nozzle adjacent the discharge port by high-temperature cleaning.

In setting forth the rejection which relies on MARUYAMA as a basis, the Examiner asserts that MARUYAMA discloses the general structure of the presently claimed sanitary washing apparatus (*see* paragraph 9 of page 4 of the Official Action).

However, the Examiner acknowledges that MARUYAMA does not disclose the presently claimed instantaneous heating device (*see* paragraph 9 of page 5 of the Official Action).

Nevertheless, the Examiner takes the position that it would have been obvious to supply the acknowledged deficiencies of MARUYAMA with the purported instantaneous heating device of SHIGERU.

Contrary to the Examiner's assertions, Applicants submit that the device of SHIGERU is very different structurally from the presently claimed heating system. In particular, Applicants submit that SHIGERU merely discloses a heater 28 (or heating coil 71) provided inside of the nozzle body 50 in order to heat and remove the water remaining in a water supply path 44 within the nozzle (see Figures 4-6 of SHIGERU).

In other words, the device of SHIGERU is not configured to spray heating water, but only to sterilize the nozzle after washing is complete and the nozzle has been withdrawn into the nozzle body 50.

Therefore, Applicants submit that even assuming, *arguendo*, that the teachings of MARUYAMA and SHIGERU have been properly combined; the teachings of SHIGERU, at best, would only provide MARUYAMA with a heating device configured to heat and remove the water remaining in a water supply path within a nozzle.

Thus, Applicants submit that MARUYAMA and SHIGERU, alone or in any properly reasoned combination, fail to disclose the presently claimed cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor from the spray port onto at least an outer surface of the discharge port of the human body washing nozzle so as to sterilize at least

an outer surface of the human body washing nozzle adjacent the discharge port by high-temperature cleaning, as generally recited in claim 1.

In setting forth the rejection which relies on KOJI for a basis, the Examiner asserts that KOJI discloses the general structure of the presently claimed sanitary washing apparatus. However, the Examiner acknowledges that KOJI does not disclose the presently claimed instantaneous heating device. Nevertheless, the Examiner takes the position that it would have been obvious to supply the acknowledged deficiencies of KOJI with the purported instantaneous heating device of SHIGERU.

Contrary to the Examiner's assertions, and as discussed *supra*, Applicants submit that the device of SHIGERU is very different structurally from the presently claimed heating system. In particular, Applicants submit that SHIGERU merely discloses a heater 28 (or heating coil 71) provided inside of the nozzle body 50 in order to heat and remove the water remaining in a water supply 44 path within the nozzle.

Therefore, Applicants submit that even assuming, *arguendo*, that the teachings of KOJI and SHIGERU have been properly combined; SHIGERU, at best, would only provide KOJI with a heating device configured to heat and remove the water remaining in a water supply path within a nozzle.

Thus, Applicants submit that KOJI and SHIGERU, alone or in any properly reasoned combination, fail to disclose the presently claimed cleaner being configured to spray the washing water heated, by the heating system, in a form of at least one of high-temperature water and vapor from the spray port onto at least an outer surface of the discharge port of the human body washing nozzle so as to sterilize at least an outer

surface of the human body washing nozzle adjacent the discharge port by high-temperature cleaning, as generally recited in claim 1.

In regard to the rejections of claims 8, 35 and 36, Applicants submit that neither SATO, MATSUI, or any of the other applied prior art, disclose anything which can reasonably be considered to supply the deficiencies of SHIGERU, for reasons discussed *supra*.

Further, Applicants submit that by using the presently claimed heating system there is no need to heat or store the washing water and/or vapor before use. Thus, both a space for storing warm water and heat dissipation loss can be eliminated. Additionally, because the temperature of warm water can be controlled instantly by the presently claimed heating system (or instantaneous heating device, as recited in claim 38), washing water can be heated to an optimum temperature for use during sterilization. Further, the temperature of the washing water can be lowered in a short time after use, thereby resulting in appropriate heating of washing water for private parts so as to ensure human safety.

Additionally, Applicants submit that none of the applied prior art discloses the presently claimed heating system comprising a heat exchanger having a snaking internal flow path (see lines 15-18 on page 25 of the present Specification), as recited in amended claim 1.

Accordingly, Applicants submit that the rejections under 35 U.S.C. § 103(a) are improper and should be withdrawn.

Further, Applicants submit that new independent claim 38, is generally somewhat similar to independent claim 1 in that it recites, inter alia, the nozzle cleaner comprising

an instantaneous second heating device configured to further heat the washing water fed from the first heating device through the switching valve to generate at least one of heated washing water and vapor, and the nozzle cleaner being configured to spray the at least one of heated washing water and vapor from the spray port onto at least an outer surface of the discharge port of the human body washing nozzle so as to sterilize, by high-temperature cleaning, at least an outer surface of the human body washing nozzle adjacent the discharge port.

In this regard, Applicants submit that support for newly-added independent claim 38 (*as well as the claims depending therefrom*) may be found in at least Figure 12 of the Drawings and the paragraph beginning on page 26, lines 18 of the present Specification).

In view of the arguments herein, Applicants submit that independent claims 1 and 38 are in condition for allowance. With regard to dependent claims 3-5, 8, 31, 32, 34-37 and 39-45 Applicants assert that these claims are allowable on their own merit, as well as because of their respective dependencies from independent claims 1 and 38, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the pending claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in any proper combination, and an indication to such effect is respectfully requested, in due course.

SUMMARY

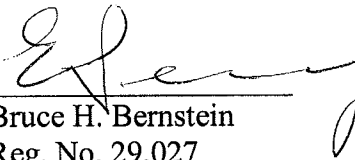
Applicants submit that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have argued the allowability of the claims and pointed out deficiencies of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants submit the status of the present application as being after final rejection and with respect to such status believes that there is a clear basis for the entry of the present amendment consistent with 37 C.F.R. § 1.116. Applicants note amendments after final are not entered as a matter of right; however, Applicants submit that the present amendment does not raise the question of new matter. Moreover, the present amendment clearly places the present application in condition for allowance.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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